D-3077CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Application of: In re

Russell Pflueger

Group Art Unit: 3743

Serial No. 10/541,255

Examiner: Unknown

Filed: March 27, 2006

For:

APPARATUS AND METHODS FOR)

TREATING SLEEP APNEA

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on or before

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant wishes to call to the attention of the Examiner the documents cited on the accompanying Form PTO-1449. concession is made that these documents are prior art, applicant expressly reserves the right to antedate the documents as may be appropriate. Applicant requests that each of these documents be made of record in the above-identified application.

Respectfully submitted,

Frank J./Uxa

Attorney for Applicant

Reg. No. 25,612

4 Venture, Suite 300

Irvine, CA 92618

(949) 450-1750

Facsimile (949) 450-1764

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Docket Number: D-3077 CIP Application Number: 10/541,255

Applicant: Pflueger

INFORMATION DISCLOSURE CITATION IN AN APPLICATION 3/27/06 (Use several sheets if necessary) Filing Date: ~3743 Group Art Unit: **U.S. PATENT DOCUMENTS** EXAMINER INITIAL DOCUMENT NUMBER DATE NAME CLASS SUBCLASS RULING DATE D 5 8 6 9 06/11/02 Thompson et al. 3 9 9 3 0 7 8 11/23/76 Bergentz et al. 4 9 8 9 6 7 04/22/80 Dror 4 3 0 7 12/08/81 Samelson 4 5 7 Ź 8 02/25/86 6 Gould et al. 4 5 8 0: 5 6 8 04/08/86 Gianturco 6 6 5 9 1 8 05/19/87 Garza et al. 7 4 6 6 2 4 0 06/30/87 Gardy 4 3 2 1 5 2 03/22/88 Wallsten et al. 4 7 9 4 9 2 4 01/03/89 Eliachar 7 5 04/18/89 **Downing** FOREIGN PATENT DOCUMENTS DOCUMENT NUMBER DATE COUNTRY CLASS SUBCLASS TRANSLATION YES NO **OTHER DOCUMENTS EXAMINER DATE CONSIDERED** /Clinton Ostrup/ 01/27/2009

Include copy of this form with next communication to the applicant.

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP \$ 609; Draw line through citation if not in conformance and not considered.

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Sheet 2 of 15

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EXAMINE	R: Init	ial if cita	tion cons	idered, w	hether o	r not cit	ation is	in conformance w	rith MPEP § 609; Draw line through o	citation if not	in conformance an	d not consid	ered.

Form PTO-144	19			Docket No.: D-3077CIP		Application No	:10/54	1,255
INFO	RMAT	TION DISCLOSURE CI	TATION	Applicant: Pflueger				
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·	1		U. S. PA1	TENT DOCUMENTS	,	<i></i>		
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	1	DATE
		6,415,796	7/2002	CONRAD ET AL			IF,AFFIN	OPRIATE
		6,431,174	8/2002	KNUDSON ET AL				
	<u> </u>	6,453,905	9/2002	CONRAD ET AL				
1.		6,502,574	1/2003	STEVENS ET AL			 	
		6,513,530	2/2003	KNUDSON ET AL			 	
		6,513,531	2/2003	KNUDSON ET AL			 	
		6,516,806	2/2003	KNUDSON ET AL				
		6,523,541	2/2003	KNUDSON ET AL				
		6,523,542	2/2003	KNUDSON ET AL				
		6,523,543	2/2003	CONRAD ET AL				
		6,546,936	4/2003	KNUDSON ET AL		4		
		6,578,580	6/2003	CONRAD ET AL				
		6,607,584	8/5/2003	KNUDSON ET AL				
			FOREIGN P	ATENT DOCUMENTS				
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLA	TION
		199 20 114 A1	5/1999	GERMANY (Eng				
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		OTHER DOCUMENT	S (Including	Author, Title, Date, Pe	ertinent F	Pages, Etc.)		-
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EXAMINER: Inf	tial if citat	ion considered, whether or not citat	ion is in conformanc	e with MPEP § 609; Draw line through	n citation if no	t in conformance and r	ot considere	1.

Form PTO-144	49	• •	•	Docket No.: D-3077CIP	· · · · · · · · · · · · · · · · · · ·	Application No.	:10/54	1,25
INFC	ORMATION I	DISCLOSURE C	ITATION	Applicant: Pflueger				
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	<u> </u>		U. S. PA1	TENT DOCUMENTS				
EXAMINER INITIAL	DOCU	MENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING IF APPR	DATE OPRIATE
	6,	,601,585	8/2003	CONRAD ET AL				
	6,	,626,181	9/2003	KNUDSON ET AL				
** v -	6,	634,362	10/2003	CONRAD ET AL				
	6,	,636,767	10/2003	KNUDSON ET AL			<u> </u>	
	6,	742,524	6/2004	KNUDSON ET AL			<u> </u>	
	US 200	3/0149445 A1	8/2003	KNUDSON ET AL				
	US 200	3/0149488 A1	8/2003	METZGER ET AL			<u> </u>	
	US 200	4/0172054 A1	9/2004	METZGER ET AL				
	5,	176,618	1/1993	FREEDMAN				
	5,	979,456	11/1999	MAGOVERN				
	6,	447,522	9/2002	GAMBALE ET AL				
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			FOREIGN P	ATENT DOCUMENTS	· : · .			
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	DOCU	MENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS		
	DOCU	MENT NUMBÉR	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
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	DOCU	MENT NUMBER		COUNTRY	CLASS	SUBCLASS		NO
	DOCU	MENT NUMBER		COUNTRY	CLASS	SUBCLASS		NO
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	ОТІ			COUNTRY Author, Title, Date, F				NO
	OTI AA							NO
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Form PTO-1449	9		Docket No.: D-3077 CIP Application No.: 1 0 / 5			.:10/54	1,255
	RMATION DISCLOSURE C	! !ITATION	Applicant: Pflueger				
	IN AN APPLICATION (Use several sheets if necessary)		Filing Date: 3/27/	06	Group Art Unit	3743	
		U. S. PAT	TENT DOCUMENTS			_ ,	
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING IF APPRO	
	3,998,209	12/1976	Macvaugh				
	4,803,075	02/1989	Wallace et al.				
·	4,830,008	05/1989	Meer				
	4,978,323	12/1990	Freedman				
	5,046,512	09/1991	Murchie				• •.
	5,052,409	10/1991	Tepper				<u> </u>
	5,133,354	07/1992	Kallok				
	5,178,156	01/1993	Takishima et al.		<u> </u>		
	5,190,053	03/1993	Meer		<u> </u>		
	5,204,382	04/1993	Wallace et al.		ļ ·		
	5,258,028	11/1993	Ersek et al.		ļ		
	5,281,219	01/1994	Kallok		<u>.</u>		<u> </u>
	5,284,161	02/1994	Karell				·
	5,451,406	09/1995	Lawin et al.		<u> </u>		·
	5,456,662	10/1995	Edwards et al.				
	5,514,131	05/1996	Edwards et al.				
ļ!	5,540,733	07/1996	Testerman et al.				
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		10/2000	- Indonesia de la companya della companya della companya de la companya della com				
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	0 700 808 At	04/1996	European				
	SIL 1553140 A1	03/1000	Pussia				
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INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)			Docket No.: D-3077CIP Application No.:1 0 / 5.4 1, 255 Applicant: Pflueger				
				,030	U. S. PAT	ENT DOCUMENTS	
XAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING D	
	5,582,184	12/1996	Erickson et al.				
	5,591,216	01/1997	Testerman et al.				
	5,699,377	09/1997	Fenn	·			
	5,674,191	10/1997	Edwards et al.				
	5,718,702	02/1998	Edwards			<u> </u>	
	5,792,067	08/1998	Karell				
	5,792,478	08/1998	Lawin et al.				· · · · ·
	5,843,021	12/1998	Edwards et al.		<u> </u>		
. 	5,897,579	04/1999	Sanders				
	5,922,006	07/1999	Sugerman				·
	5,983,136	11/1999	Kamen				
,	6,439,238	08/2002	Brenzel et al.			_	
	2001/0025642	10/2001	Conrad et al.			_	
	2001/0044587	11/2001	Conrad et al.				<u>.</u>
	2001/0052344	12/2001	Doshi		ļ		
	2002/0035994	03/2002	Stevens et al.				<u> </u>
	2002/0056462	05/2002	Conrad et al:				
	2002/0108618	08/2002	Conrad et al.				<u>.</u>
	2004/0199045	10/2004	Knudson et al.	·		_	
	Re. 36,120	03/1999	Karell		<u> </u>		
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			Author Title Dot	o Portings	t Pages Etc.\		L
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		 	DATE CONCIDENCE				
EXAMINER /Clinton Ostrup/			DATE CONSIDERED 01/27/2009				

Docket No.: D-3077CIP Application No.: 10/541,255 Form PTO-1449 Applicant: Pflueger INFORMATION DISCLOSURE CITATION Group Art Unit: 3743 IN AN APPLICATION Filing Date: 3/27/06 (Use several sheets if necessary) **U. S. PATENT DOCUMENTS EXAMINER** DOCUMENT NUMBER NAME CLASS SUBCLASS **FILING DATE** INITIAL IF APPROPRIATE 5,065,756 11/1991 Rapoport 5,355,874 10/1994 Bertram 5,720,275 02/1998 Patil et al. 6,306,141 10/2001 Jervis 03/2004 2004/0045555 A1 Nelson et al. 2004/0045556 A1 03/2004 Nelson et al. 2004/0049102 A1 03/2004 Nelson et al. 2004/0139975 A1 07/2004 Nelson et al. 2001/0052344 A1 12/2001 Doshi 2002/0040712 A1 04/2002 Chou FOREIGN PATENT DOCUMENTS **DOCUMENT NUMBER** DATE COUNTRY CLASS SUBCLASS TRANSLATION YES NO OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) AA AB AC AD ΑE AF AG AH**EXAMINER DATE CONSIDERED** /Clinton Ostrup/ 01/27/2009 EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.